

Environmental Protection Agency

§ 279.50

marked clearly with the words “Used Oil.”

(h) *Response to releases.* Upon detection of a release of used oil to the environment that is not subject to the requirements of part 280, subpart F of this chapter and which has occurred after the effective date of the recycled used oil management program in effect in the State in which the release is located, the owner/operator of a transfer facility must perform the following cleanup steps:

- (1) Stop the release;
- (2) Contain the released used oil;
- (3) Clean up and manage properly the released used oil and other materials; and
- (4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

[57 FR 41612, Sept. 10, 1992, as amended at 58 FR 26426, May 3, 1993; 63 FR 24969, May 6, 1998; 71 FR 40280, July 14, 2006]

§ 279.46 Tracking.

(a) *Acceptance.* Used oil transporters must keep a record of each used oil shipment accepted for transport. Records for each shipment must include:

- (1) The name and address of the generator, transporter, or processor/re-refiner who provided the used oil for transport;
- (2) The EPA identification number (if applicable) of the generator, transporter, or processor/re-refiner who provided the used oil for transport;
- (3) The quantity of used oil accepted;
- (4) The date of acceptance; and
- (5)(i) Except as provided in paragraph (a)(5)(ii) of this section, the signature, dated upon receipt of the used oil, of a representative of the generator, transporter, or processor/re-refiner who provided the used oil for transport.

(ii) Intermediate rail transporters are not required to sign the record of acceptance.

(b) *Deliveries.* Used oil transporters must keep a record of each shipment of used oil that is delivered to another used oil transporter, or to a used oil burner, processor/re-refiner, or disposal facility. Records of each delivery must include:

- (1) The name and address of the receiving facility or transporter;
- (2) The EPA identification number of the receiving facility or transporter;
- (3) The quantity of used oil delivered;
- (4) The date of delivery;
- (5)(i) Except as provided in paragraph (b)(5)(ii) of this section, the signature, dated upon receipt of the used oil, of a representative of the receiving facility or transporter.

(ii) Intermediate rail transporters are not required to sign the record of delivery.

(c) *Exports of used oil.* Used oil transporters must maintain the records described in paragraphs (b)(1) through (b)(4) of this section for each shipment of used oil exported to any foreign country.

(d) *Record retention.* The records described in paragraphs (a), (b), and (c) of this section must be maintained for at least three years.

[57 FR 41612, Sept. 10, 1992, as amended at 59 FR 10560, Mar. 4, 1994]

§ 279.47 Management of residues.

Transporters who generate residues from the storage or transport of used oil must manage the residues as specified in § 279.10(e).

Subpart F—Standards for Used Oil Processors and Re-Refiners

§ 279.50 Applicability.

(a) The requirements of this subpart apply to owners and operators of facilities that process used oil. Processing means chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived products. Processing includes, but is not limited to: blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation and re-refining. The requirements of this subpart do not apply to:

- (1) Transporters that conduct incidental processing operations that occur during the normal course of transportation as provided in § 279.41; or